

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
2005 JAN 13 P 3:55

UNITED STATES OF AMERICA)

v.)

CARLOS CABRAL)

CRIMINAL NO. 04-40012-FDS

JOINT MOTION TO EXCLUDE TIME

The United States of America, by Assistant U.S. Attorney Paul G. Casey, and the defendant Carlos Cabral, by counsel Elliot M. Weinstein, Esq., jointly submit this motion to exclude the time from November 23, 2004 (the date of the last order of excludable time) to the next scheduled status date in the interests of justice.

The parties have been involved in ongoing plea negotiations in an attempt to reach a non-trial disposition in this case. Defense counsel has used the time requested to review the proposed plea offer with the Defendant and the government is awaiting review and approval from the United States Attorney.

The parties would request that the time from November 23, 2004 (the date of the last order of excludable time) through the next hearing date be excluded pursuant to 18 U.S.C. §3161(h)(8)(A), since seeking a non-trial disposition serves the ends of justice and outweighs the best interest of the public and

the defendant in a speedy trial.

Pursuant to L.R. 7.1(2), I hereby certify that I have conferred with counsel for Defendant and that defense counsel assents to the motion stated above.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: Paul G. Casey
Paul G. Casey
Assistant U.S. Attorney

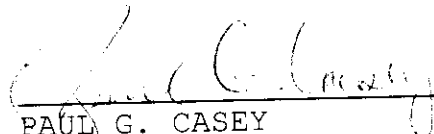
CARLOS CABRAL
Defendant

By: Elliot M. Weinstein, Esq.
Elliot M. Weinstein, Esq.

SS., Worcester

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by facsimile and Federal Express upon the below-named counsel on this 18th day of January, 2005.



PAUL G. CASEY
Assistant U.S. Attorney

Elliot M. Weinstein, Esq.
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